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| APPLICATION NO. FILING DATE FIRST NAMED INVENT |            | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | NO. CONFIRMATION NO |  |
|--|------------|-----------------------|---------------------|---------------------|--|
| 10/840,167                                     | 05/06/2004 | Nicolai Kosche        | 004-9158            | 7505                |  |
| 66083 . 7590 11/13/2007                        |            |                       | EXAMINER            |                     |  |
|  |            | DORSEY & WHITNEY, LLP |                     |                     |  |
| 370 SEVENTEENTH ST.                            |            |                       | ART UNIT            | PAPER NUMBER        |  |
| SUITE 4700                                     |            |                       | AKTOMI              | 1711 2011 1011      |  |
| DENVER, CO                                     | 80202      |                       |                     |                     |  |

DATE MAILED: 11/13/2007

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In re Application of: Nicolai Koshe, et al. Application No.: 10/840,167 May 6, 2004 Filing Date: METHOD AND APPARATUS FOR DATA OBJECT PROFILING Title: Direct to: U.S. Patent and Trademark Office Mail Stop: Duplicates Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 NOTICE UNDER 37 CFR 1.251 - Pending Application Statement (check the appropriate box): The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records. ☐The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s). The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records □Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified annlication.

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Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies for correspondence between the applicant and the USPTO in order reconstruct an application file. Confidentiality is governed by 35 U.S. C. 123 and 37 CFR 1.141 from its estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 2231-1450.
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PTO Doc Code: R251.RES (Rev. 03/05)

Date



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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

# NOTICE UNDER 37 CFR 1.251 - Pending Application

The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of THREE (3) MONTHS from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the identified application that is not among applicant's records.

10-840167 EThe following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

| -          |                           |                      |                |                |                 |            |          |
|------------|---------------------------|----------------------|----------------|----------------|-----------------|------------|----------|
| Reference: | ANDERSON, Jennifer et al. | "Continuous Profilin | g: An Electron | Microscope for | Your Computer", | Palo Alto, | CA, Augu |

13, 1999, 18 pages - filed with IDS (3-17-2006). Reference: "Program Performance Analysis Tools." Sun Microsystems, Inc. Publication 817-0922-10, May 2003 (244 pages) - filed

with IDS (3-17-2006). Reference: ITZKOWITZ, Marty et al., "Memory Profiling Using Hardware Counters," November 15-21, 2003, pages 1-12 (missing

pages 5, 6 and 9) - filed with IDS (3-17-2006).

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 3 7 CFR 1.251.

Applicant is given a period of THREE (3) MONTHS from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-Identified application. The threemonth period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

A printout from PALM of the contents of the file of the above-identified application is included with this notice.

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